

## REMARKS

This amendment is responsive to the Office Action mailed March 24, 2005. In the Office Action, Claims 1-10, 15-21, 24-38, 40-41, and 44-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,702,350 that issued to Mitchell. Claims 11-14, 22-23, 39, and 42-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mitchell in view of U.S. Patent No. 6,809,741 that issued to Bates et al.

Applicants' attorney thanks Examiner Desire for the time and consideration he extended in a telephone interview conducted on June 3, 2005. In the interview, applicants' attorney and Examiner Desire discussed the Mitchell reference in view of the pending claims. Deficiencies of the Mitchell disclosure as applied by the Office Action to the independent and dependent claims in the present application were noted.

The Examiner has applied the Mitchell reference to the claims based on an interpretation of Mitchell in which an HTML document forming a Web page allegedly constitutes "an image of a page of content" as recited in the claims. Applicants believe this interpretation of Mitchell derives from a misunderstanding of the image processing that occurs in the present application and how it differs from Web page filtering as taught by Mitchell.

In the Mitchell patent, a user is able to selectively filter out undesired elements of a Web page, such as banner advertisements. In one aspect of the Mitchell reference, a filter script is generated and stored in association with the URL of a Web page source document. When the Web page source document is subsequently accessed, the filter script, knowing the structure of the Web page source document, acts on the HTML code in the source document to suppress identified elements prior to generating the Web page for display to a user.

As recognized in the Mitchell reference, a Web page source document typically comprises a collection of instructions. The instructions, frequently written in hypertext markup

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

language (HTML), are interpreted and executed by a Web browser application to generate a Web page display. See Col. 2, lines 55-65 of Mitchell.

The Web page filtering described by Mitchell (see Col. 3, lines 19-47) specifically relies on and requires a formalized structure of the Web page source document in order to generate the filter script that, when executed, can operate to remove undesired elements from the source document prior to generating the Web page for display. According to one embodiment in Mitchell, a gateway filter process may generically scan (or read through) Web page data for certain HTML expressions encoding a banner advertisement and block the expression of that content from being sent to the browser. See Col. 3, lines 24-29. In another embodiment of Mitchell, a stream editor function may be employed to scan or read through all incoming Web page data for a text pattern that implicates a previously generated filter script. For example, as indicated at Col. 3, lines 12-18, if a user wants to suppress all advertisements from Joe's Diner, the user may right click on an advertisement to activate a filter script program. The editor tool 130 disclosed by Mitchell then records HTML data or other information related to the generation of the advertisement, labeling it as "Joe'sDiner.tag". Then, as described at Col. 3, lines 38-44, the stream editor function may conduct surveillance on incoming Web data and, in accordance with the filter script "Joe'sDiner.tag", act to suppress a Joe's Diner advertisement before the Web page is generated and displayed by the browser.

Mitchell relies on the structure and content of a Web page source document in order to identify and remove particular text or objects prior to generating and displaying the Web page in a browser. In other words, Mitchell analyzes and acts upon HTML instructions before a display of the Web page is generated.

In contrast, the method claimed in Claim 1 acts upon images. The method analyzes the images to identify features that are to be suppressed or not to be suppressed. Analyzing an image

cannot be considered an equivalent to analyzing formatted instructions contained in a Web page source document. There is a fundamental difference between a graphical image and a Web page source document that a browser must use to interpret and generate a Web page display. The analysis and display of an image (here, an image of a page of content) as set forth in the present application does not assume or require a structured format of elements as required in a Web page source document.

In particular, Claim 1 in the present application recites a method for suppressing one or more features in an image of a page of content. The method comprises "acquiring an image of a page of content" and "analyzing the image to identify one or more features in the image of the page of content that are to be suppressed or not to be suppressed." A substitute image is prepared "that includes one or more portions of the analyzed image having those features that are not to be suppressed."

A method for filtering Web pages, as disclosed by Mitchell, is not applicable to the claimed invention because Mitchell does not describe or suggest analyzing an image and suppressing features from within the image as claimed. Rather, Mitchell is concerned with analyzing a Web page source document comprised of HTML expressions and objects, including text, graphics, images, icons, links, etc. Filtering a Web page source document to remove certain objects is not the same as analyzing an image of a page of content and preparing a substitute image as claimed in Claim 1. More succinctly stated, an "image of a page of content" is different than "a page of content." At best, Mitchell may act to filter out an image from a Web page, but Mitchell does not teach or describe analyzing an image itself to filter out features from within the image.

For the foregoing reasons, the Web page filtering described by Mitchell cannot be properly applied by the Patent Office to reject Claim 1 as being anticipated by Mitchell.

Applicants respectfully request the Examiner to consider the deficiency of disclosure of Mitchell and withdraw the rejection of Claim 1.

In the Office Action, the Mitchell reference was further applied as anticipating claims that are dependent on Claim 1. Applicants respectfully submit that the dependent claims are patentable over Mitchell, not only for their dependence on allowable Claim 1, but also for the additional subject matter recited therein.

For example, Claim 2 further defines Claim 1 by stating that "acquiring an image of a page of content comprises scanning a page of content into an electronic image format." Nowhere is this subject matter described or suggested by Mitchell. While the Examiner cites to a portion of Mitchell at Col. 3, lines 23-29 that uses the word "scan", this use of the word "scan" has a completely different meaning. Mitchell is discussing an Internet data stream that is scanned, or read, by a filter process as the data is being passed to a browser. In the context of Claim 2, the word "scanning" refers to a process in which an electronic image of a page of content is made. A flatbed scanner is one example of an apparatus that could be used to scan a page of content into an electronic image format.

Claims 3 and 4, for example, also further define Claim 1 in a manner not anticipated by Mitchell. A process of "acquiring an image of a page of content [by] converting electronic text into an electronic image format" or by "retrieving an image of a page of content that was previously stored in a memory" is not disclosed by Mitchell. The portion of Mitchell cited by the Examiner with respect to Claim 3 does not describe converting electronic text into an electronic image format. In Mitchell, the source document 104 shown in Figure 1 and the reference to "text" at Col. 2, lines 59-60 merely reiterate a point made earlier in this response, that is, a Web page is actually a source document prepared in a text markup language such as HTML. The description at Col. 4, lines 4-16, cited with respect to Claim 4, describes retrieving

a Web page source document using a URL request through a browser, which as discussed earlier herein, does not anticipate acquiring an image of a page of content by retrieving the image from a memory.

The foregoing are merely examples of ways in which the claims dependent on Claim 1 define subject matter that is patentable over Mitchell. Out of an abundance of caution, applicants have also considered the disclosure of Bates et al. and find nothing that cures the deficiencies described above with respect to Mitchell.

As to Claim 11, in which Mitchell and Bates are specifically cited in combination, applicants do not find the rejection to be proper. The Bates reference discloses a color contrast adjuster that automatically selects and applies new color combinations for a text and background based on a current color combination for the text and background. Thus, if the current color combination presents a problem (e.g., that the text is difficult to see with respect to the background), the colors are adjusted to rectify the problem. The discussion at Col. 5, lines 23-33 of Bates merely indicates that the color contrast adjuster is operable in a Web page environment in connection with a Web browser. Bates does not teach or suggest "copying pixel information for the non-suppressed features from the analyzed image to the substitute image at one or more locations corresponding to the locations of the non-suppressed features in the analyzed image," as claimed in Claim 11. Applicants further submit that the disclosure at Col. 5, lines 30-35 of Bates does not teach or suggest the subject matter set forth in Claims 12-14, as alleged in the Office Action.

Again, the foregoing are only examples showing that the cited art is not applicable to the claims in the present application. Applicants respectfully submit that each of the dependent claims in the present application is patentable over the cited art for the additional subject matter disclosed therein.

Turning now to independent Claim 35, a computer system is claimed which provides an image of a page of content to a user as a result of a search. The computer system comprises "a search server in communication with a database server." The database server is configured "with a library of content that includes (1) an image database containing images of pages of content, and (2) a text searchable database containing text and information identifying the images in the image database that contain the text." Further, the search server is configured "with computer-implemented instructions that enable the search server to retrieve an image of a page of content from the image database based on a user search, analyze the image to identify one or more features in the image that are to be suppressed or not to be suppressed, [and] prepare a substitute image that includes one or more portions of the analyzed image having those features that are not to be suppressed." The substitute image is then provided to the user.

Applicants have carefully considered the Mitchell reference and find that Mitchell does not anticipate the computer system recited in Claim 35. Arguments presented above with respect to Claim 1 are similarly applicable to the computer system set forth in Claim 35. Moreover, arguments presented above with respect to claims dependent on Claim 1 are similarly applicable to the claims dependent on Claim 35; that is, the dependent claims are separately patentable for the subject matter presented therein, as well as for being based on an allowable base claim.

### CONCLUSION

For the foregoing reasons among others, the claims in the present application are patentable over the prior art. Applicants respectfully request withdrawal of the rejection of Claims 1-45 and allowance of the claims at an early date. Should any issues remain needing

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100

resolution prior to allowance, the Examiner is invited to contact applicants' attorney at the telephone number indicated below.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Kevan L. Morgan

Registration No. 42,015

Direct Dial No. 206.695.1712

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date:

August 24, 2005

Cyrus Zee

KLM:lpz/gm

LAW OFFICES OF  
CHRISTENSEN O'CONNOR JOHNSON KINDNESS<sup>PLLC</sup>  
1420 Fifth Avenue  
Suite 2800  
Seattle, Washington 98101  
206.682.8100